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NOTICE OF ALLOWANCE AND FEE(S) DUE

23488

7590

06/04/2008

GERALD B ROSENBERG
NEW TECH LAW
260 SHERIDAN AVENUE
SUITE 208
PALO ALTO, CA 94306-2009

EXAMINER

JARRETT, SCOTT L.

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 06/04/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,024	02/20/2002	Susan A. Magrino	CPFB3000	5189

TITLE OF INVENTION: HUMAN CAPITAL MANAGEMENT INVENTORY AND POSITION MATCHING SYSTEM AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	09/04/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

23488 7590 06/04/2008
GERALD B ROSENBERG
NEW TECH LAW
260 SHERIDAN AVENUE
SUITE 208
PALO ALTO, CA 94306-2009

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/079,024	02/20/2002	Susan A. Magrino	CPTB3000	5189
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TITLE OF INVENTION: HUMAN CAPITAL MANAGEMENT INVENTORY AND POSITION MATCHING SYSTEM AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	09/04/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
JARRETT, SCOTT L	3623	705-011000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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23488	7590	06/04/2008	EXAMINER	
GERALD B ROSENBERG NEW TECH LAW 260 SHERIDAN AVENUE SUITE 208 PALO ALTO, CA 94306-2009			JARRETT, SCOTT L.	
			ART UNIT	PAPER NUMBER
			3623	
DATE MAILED: 06/04/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 816 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 816 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/079,024

Examiner

SCOTT L. JARRETT

Applicant(s)

MAGRINO ET AL.

Art Unit

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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments 4/10/2008 and interviews on May 13, 14, and 19, 2008.
2. ☒ The allowed claim(s) is/are 29,32 and 33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Notice to Applicant

The following is an Examiner's Amendment in response to the Applicant's Amendment submitted April 10, 2008 and the interviews with Mr. Gerald Rosenberg on May 13, 14 and 19, 2008. The Examiner's Amendment cancels Claims 1-28 and 30-31 and amends claims 29 and 32. Claims 29 and 32-33 are currently pending and allowed below.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Mr. Gerald Rosenberg on May 13, 14 and 19, 2008.

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in this application.

1-28. (Canceled)

29. (Amended) A method for implementing a talent management system, executed on a computer system, providing for the collection and qualification of performance capability information of workforce candidates, including currently active participants and a reserve talent pool of inactive participants, and for the evaluation of workforce candidates to support selection of candidates for positions within an organization, said method comprising the steps of:

a) collecting, via a user interface system, and storing, in a workforce database, performance capability information from said workforce, wherein said workforce includes a plurality of members and wherein said performance capability information identifies a workforce participant and the participant status of said workforce participant, and includes a plurality of performance capability partitions, and wherein each said performance capability partition includes categorized field information and categorized free-text information, said categorized free-text information including unstructured textual content, said performance capability information being stored in a workforce database, with respect to said plurality of members, as a plurality of performance capability data sets;

b) automatically generating first scores for said plurality of performance capability data sets, wherein said first score of each said data set includes assigning score values to respective instances of said categorized field information and sets of score values to respective instances of said categorized free-text information, wherein for each instance of categorized free-text information said instance of categorized free-text information is autonomously parsed relative to the category of said instance of categorized free-text information to identify capabilities identifiers including one or more words, wherein said instance corresponding set of score values includes score values

selectively assigned to said capabilities identifiers, wherein said assigned score values are stored in said workforce database;

c) reviewing and assigning, by a designated reviewer, second scores to a subset of said plurality of performance capability data sets, wherein said second scores of said subset include [included] weighting values selectively assigned to said score values, wherein each said weighting value represents a qualification of a respective said score value, wherein said step of selectively assigning weighting values includes reviewing the respective instances of said categorized field information and said categorized free-text information by said designated reviewer via a reviewer interface system, coupled to said workforce database, to selectively assign said weighting values, and wherein said assigned weighting values are stored in said workforce database, whereby said step of reviewing and assigning provides for a normalization of the quality of information provided by a corresponding set of workforce candidates; and

d) selecting, via said reviewer interface system, a candidate for a predetermined position based on evaluation of said plurality of performance capability data sets with respect to said predetermined position, wherein said predetermined position is defined by an associated weighting specification specified through said reviewer interface system and used to determine a corresponding ranking of said performance capability data sets, wherein said weighting specification includes a plurality of specification weights selectively corresponding to said categorized field information and capability identifiers associated with said categorized free-text information, wherein the ranking of a corresponding data set is determined from a combined correspondence of said specification weights and said assigned weighting and score values of the said corresponding data set, and wherein a subset of said plurality of performance capability data sets are displayed in ranked order determined by said combined correspondence;

wherein said user interface system is accessible by said plurality of workforce participants, said user interface system providing for the identification within said performance capabilities data set repository of discrete editing changes made to said plurality of performance capability data sets, said user interface system further providing for the issuance of an information request [data changed] electronic notification message to a predetermined user corresponding [with respect] to a predetermined data set, wherein issuance of said information request electronic notification message is initiated by an assigned reviewer to obtain further qualification of said predetermined data set, and wherein said information request electronic notification message communicates a request for specified information regarding an item of said predetermined data set; [performance capability data set; and]

wherein said reviewer interface system is accessible by reviewers and enables identification of said discrete editing changes made to said performance capabilities data sets, wherein said workforce database associates a predetermined reviewer with said predetermined performance capability data set, and wherein said predetermined reviewer receives a [said] data changed electronic notification message of said change in said workforce database through said reviewer interface system; and

wherein said workforce database is updated with workforce life-cycle event data, separately from said user interface system, to modify participant status of said predetermined user to reflect changes of participant status between active participant status and reserve talent pool inactive participant status.

30. (Cancelled)

31. (Cancelled)

32. (Amended) The method of Claim 22 [31] wherein said workforce database associates a reviewer notification delivery address with said assigned reviewer and wherein said data changed electronic notification message is delivered to said assigned reviewer at said reviewer notification delivery address.

33. (Previously Presented) The method of Claim 32 wherein said workforce database associates a user notification delivery address with said predetermined user and wherein said information request electronic notification message is delivered to said predetermined user at said user notification delivery address.

ALLOWANCE

Claims 29 and 32-33 are allowed.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance.

The present invention is directed to method for selecting a workforce candidates, including currently active participants and a reserve talent pool of inactive participants, for a predetermined position from a ranked list via a talent management system wherein the selection is based on the comparison of automatically generated first scores of collected performance capability information of workforce candidates and second scores, assigned by a designated reviewer, and which normalize the quality of the information provided by the workforce candidates to weighted performance capability data sets for the predetermined position.

The closest prior art Kurzius et al., U.S. Patent No. 6,385,620, Clark et al. U.S. Patent No. 5,164,897, Ivanov, U.S. Patent No. 5,706,452, Thomas, U.S. Patent Publication No. 2002/0055870 fail to teach or suggest either singularly or in combination teach a method for selecting a workforce candidate for a predetermined position from a pool of active and inactive candidates via a talent management system comprising: collecting and storing, in a workforce database, performance capability information from the workforce, wherein said workforce includes a plurality of members and wherein said

performance capability information identifies a workforce participant and the participant status of said workforce participant, and includes a plurality of performance capability partitions, and wherein each said performance capability partition includes categorized field information and categorized free-text information, said categorized free-text information including unstructured textual content, said performance capability information being stored in a workforce database, with respect to said plurality of members, as a plurality of performance capability data sets;

automatically generating first scores for said plurality of performance capability data sets, wherein said first score of each said data set includes assigning score values to respective instances of said categorized field information and sets of score values to respective instances of said categorized free-text information, wherein for each instance of categorized free-text information said instance of categorized free-text information is autonomously parsed relative to the category of said instance of categorized free-text information to identify capabilities identifiers including one or more words, wherein said instance corresponding set of score values includes score values selectively assigned to said capabilities identifiers;

normalizing the quality of information provided by the workforce candidates wherein the normalization is the result of the reviewing and assigning, by a designated reviewer, second scores to a subset of said plurality of performance capability data sets, wherein the second scores of said subset include [included] weighting values selectively assigned to said score values, wherein each said weighting value represents a qualification of a respective score value, wherein said step of selectively assigning

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weighting values includes reviewing the respective instances of the categorized field information and said categorized free-text information by said designated reviewer via a reviewer interface system, to selectively assign said weighting values; and

selecting a candidate for a predetermined position based on evaluation of said plurality of performance capability data sets with respect to said predetermined position, wherein said predetermined position is defined by an associated weighting specification;

determining a corresponding ranking of the performance capability data sets, wherein said weighting specification includes a plurality of specification weights selectively corresponding to said categorized field information and capability identifiers associated with said categorized free-text information, wherein the ranking of a corresponding data set is determined from a combined correspondence of said specification weights and said assigned weighting and score values of the said corresponding data set, and wherein a subset of said plurality of performance capability data sets are displayed in ranked order determined by said combined correspondence;

an assigned reviewer initiating the issuance of an information request electronic notification message to a predetermined user corresponding to a predetermined data set to obtain further qualification of said predetermined data set, and wherein said information request electronic notification message communicates a request for specified information regarding an item of said predetermined data set;

identifying discrete editing changes made to said performance capabilities data sets and sending the associated predetermined reviewer with said predetermined

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performance capability data set an data changed electronic notification message of said change in said workforce; and

modifying participant status of said predetermined user to reflect changes of participant status between active participant status and reserve talent pool inactive participant status by updating the workforce database with workforce life-cycle event data as recited in independent Claim 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ibarra, U.S. Patent No. 6,119,097, teach a system and method for quantifying workforce performance capabilities against a plurality of performance capability partitions.

- Durand et al., U.S. Patent No. 6,272,467, teach a system and method for selecting workforce candidates from a pool of candidates by matching workforce capability data sets to workforce requirements.

- Powers et al., U.S. Patent No. 6,604,084, teach a workforce performance evaluation system and method for collecting and storing a plurality of categorized performance capability data sets.

- Roy et al., U.S. Patent No. 7,191,139, teach a system and method for selecting a workforce candidate from a pool of workforce candidates based on the 'match' between a plurality of performance capability data partitions/categories collected for the workforce and the required performance capability required from a position.

- Parks et al., U.S. Patent No. 7,219,066, teach a system and method for selecting a workforce candidate for a position based on match between the position's required performance capabilities and the candidate's performance capabilities.

- Rock et al., U.S. Patent No. 7,249,145, teach a system and method for selecting a candidate from a pool of candidates for a predetermined position wherein

candidates are ranked/scored based on a plurality of categorized performance capability data sets.

- Scarborough et al., U.S. Patent No. 7,310,626, teach a system and method for selection workforce candidates for workforce positions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Van Doren Beth can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3623